

STRIKERS

Arguments in the Hatch Trial

Hart Scores the Railroad Company

He Alleges an Attempt to Make an Example

Of the Accused for Effect in the Future.

Fire at North Berkeley Last Night.

H. M. Collins Will Contest.

Another Man Looks into the Barrel of a Howitzer and Promptly Throws up his Hands thinking the Footpad was one of the Solid Four.

Summing up the Case. WOODLAND, December 5.—E. E. Gaddis made the opening argument for the defense in the Hatch case today. He occupied the entire forenoon and made a masterly effort on behalf of his client. General Hart commenced his address after the noon hour, and had not concluded when the hour of adjournment arrived. Hart is making a gallant fight for Hatch.

Carroll Cook will begin the closing argument in the morning, and will occupy the entire day. The father and mother of Appleman, whose case will be taken up next, arrived from the east today. The parents did not learn of his arrest until a week ago.

At no time during the trial of

Hatch has the attendance been so large as last night and today. Many people were unable to gain admission to the courtroom. Mr. Head's opening address for the prosecution occupied an hour and a half in delivery. He began by reminding the jury that they have a sworn duty to perform, and that they should discharge their obligation to the people uninfluenced by sentiment or prejudice, but with an earnest desire to be governed wholly by the law and the facts in the case. He pointed out many inconsistencies and apparent contradictions in the testimony for the defense.

Mr. Gaddis, in his opening argument for the defense, made an earnest plea for the purpose of impressing the jury with a full sense of the responsibility resting upon them. He made an exhaustive review of the testimony. The evidence of every witness for the prosecution was dissected and the apparent weak points brought out. Then the testimony tending to establish an alibi was carefully marshaled and every corroborating circumstance dwelt upon at considerable length.

At 1:30 General Hart began the closing argument for the defense. He was in splendid voice, and spoke with impassioned earnestness. His denunciation of the railroad company was very bitter. He was especially severe on the detectives and railroad attorneys, branding them as slaves and tools of a soulless corporation, that is "using its mighty power and influence to hound Melvin Hatch to the gallows."

He charged that the prosecution was not by the people, but by the Southern Pacific Company, "which not only hires lawyers, but suborns perjury to swear away the life of an innocent man." He charged that the object is to make a victim of Hatch, in order to terrorize the railroad employees and lessen the danger of another strike.

At 4 o'clock General Hart had not concluded his argument, and the Court ordered a recess.

The case will probably not be given to the jury until late tomorrow afternoon.

Few Empty Houses.

SACRAMENTO, December 5.—It looks as if there will be some difficulty in finding suitable residences for the incoming State officers. Several have written to friends here to try and secure houses for them, but there is hardly a vacant one to be had.

There are few unoccupied residences in the city and these are small cottages. At least a hundred new residences have been built during the past summer, but they are all occupied or engaged. Mr. Budd has not yet secured a house.

Mannie Schwartz Killed.

HELENA (Mont.), December 5.—A man known as Mannie Schwartz was killed Monday night, probably by falling off a freight train. His folks live

in San Francisco, but it is said that they disowned him for marrying a gentle woman, who is a variety actress known on the boards as Ida Warren. He was trying to "beat" a freight from here to Great Falls.

Demands a Recount.

SANTA ROSA, December 5.—Mrs. Fannie Martin, an independent candidate for Superintendent of Schools, has filed papers asking for a recount of ballots.

She was beaten by E. W. Davis (R.) by 279 votes, and claims to have been counted out in a large number of precincts throughout the county.

The Pratt Will Contest.

LOS ANGELES, December 5.—The Pratt will case once again occupied the attention of Probate Judge Clark today. Senator White, for the contestants, made a motion that the judgment be entered denying the probate of the will, upon which Judge Silent proceeded to ask that judgment be entered for the proponents. The arguments of counsel took up the entire day, and further hearing will be resumed tomorrow.

Joyce's Body Not Found.

SACRAMENTO, December 5.—Efforts to find the body of Charles Edward Joyce, the young man who last night jumped from the Yolo bridge into the river with a companion named Maxwell, and who was drowned, have proved fruitless. Some have advanced the theory that he swam or waded ashore in the darkness and is in hiding, but there is no doubt that he is drowned.

Elected but not in Office.

SANTA ROSA, December 5.—The County Clerk has refused to issue certificates of election to about fifteen newly elected Justices of the Peace and constables, they having failed to file statements of election expenses. The negligent officials talk of bringing suit in the Superior Court to test the law.

He Will Contest.

H. M. Collins of West Oakland had papers prepared yesterday to file a contest to the election of John B. McDonald as Assemblyman in the Forty-ninth district. The race in this district was a very close one. Collins was the Republican candidate and McDonald was on the Democratic ticket. R. Guy McClellan of Lorin stepped into the fight as an Independent Republican candidate, and secured just enough votes to throw the election to McDonald. When the official canvass was completed before the Board of Supervisors it was found that McDonald was elected by one vote.

The police stated yesterday that fraud was committed in a number of precincts, which resulted in McDonald getting an unfair advantage in the count. It is claimed that votes cast for McClellan were not counted for him, but were given

to McDonald. It is also asserted that votes that were cast for Collins were counted for McDonald. The defeated Republican feels that he has not been given a fair deal and he is going to take the matter before the Assembly. The preliminary testimony will be taken in Oakland and then it will be forwarded to Sacramento. McDonald was the only Democrat in the county elected to the Legislature. He has employed an attorney and will fight the contest.

A Fire Alarm.

Last evening about twenty minutes past 9 o'clock the bell on Columbia Engine House, in East Berkeley, rung out sounds which sent a thrill through the town. There is something thrilling about an alarm of fire that gives the nervous system quite a shock. The sounding of the bell was short, quick and very decisive. The Columbia's boys responded very quickly, and tugged away with vigor to get their hose cart through the mud on the way to North Berkeley.

The fire was caused, like a great many which have happened before it, by the explosion of a coil oil lamp in an incubator. It happened in one of the out-buildings in the rear of Littlejohn's property, near Virginia and Louisa streets.

Mr. Dozier is now occupying the Littlejohn house with his family. Within ten minutes from the time the alarm was given all vestiges of the fire were obliterated. The promptness of the Columbia boys put a quick stop to what might have been a large conflagration.

The alarm was heard in other parts of the town, and Beacon Company No. 1 immediately responded. They proceeded as far as San Pablo avenue, and then found out that the fire was under control. Foreman Samuel Borkheim got a wagon and proceeded to the scene of the fire.

Although our fire department is somewhat limited, it is sufficiently on the alert to catch the element early enough to prevent any very serious damage.

Another Stand Up.

Since the meeting of the Board of Trustees last Monday night it has become quite popular to stand up any property holder that may be in sight after the electric lights are aglow. Whether it is induction that causes a movement in crime has not been fairly deduced, but there is such an amount of coincidence people, ordinarily constituted, do not comprehend very quickly. Suffice it to say that Mr. Stillfried, who has a residence on the top end of Cedar street, looked into the barrel of a revolver night before last, and to him it appeared as large as the Berryman reservoir before the town officers or any other watery element had got into it. To get at such an elevation for sleeping purposes a man only wants breath. The robber took that

away, and Mr. S. rested by the way-side. If the robber is ever caught and has that breath with him, there is no doubt but what Mr. S. could recognize it immediately.

It is quite evident from the recent atrocities, two robberies or attempts at the same, and one fire in the space of three days time, that the northern portion of the town needs protection. When some one suggested that a member of the Board lived there, and no fear need be upon the inhabitants, the reply was given, as the replyee wept, "God save us from our friends."



The GAZETTE has the temporary use of two sizes of these rings to loan to subscribers during the latter part of 1894 and the spring of 1895. They are too valuable to go out of the owner's hands at present. They are not ornamental but strictly for use. It is supposed and generally believed that this paper will have the sole control of their use for the time stated. Being made by electricity, and as that current has been so graduated that its force will expire before the days acquire much length, our patrons are particularly requested to apply early if they are in want of a good common article at a moderate rate. See ad in another column.

It might be said, in conclusion, that the numbers 3 and 4 express two sizes. Number 3 is the size worn by a large majority. Occasionally there is a call for number 4. When wanted it can always be obtained.

A Common Way of Expressing Public Opinion.

Since last Monday night many slang expressions have seemingly come into common use. You hear them on the street, the little boys cry them out, evidently not knowing the meaning of the expressions, but say them because they hear older people indulge in them. They are used quite frequently in some of our best private schools and they are permeating the whole atmosphere. There must be some cause for this wide spread notion which has a growth like the mushroom as far as celerity is concerned. It is unnecessary to speak any plainer. Straws do tell which way the wind blows.

Yesterday being a wet day a great many winter dresses as adopted by the University co-eds, were to be seen. The young ladies of the High School have shown their good sense and adopted the same style of dress.

A meeting of I. O. O. F. Lodge No. 270 will be held this evening, for the purpose of electing officers.

THE GAZETTE.

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JOHN O. HANSCOM BUSINESS MANG'R
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THE WATER FRONT.

Very shortly the case of the Oakland Water Front will be called in the United States Supreme Court. That the matter is important the amount of money involved in it goes to show. More than fifteen millions of dollars are dependent upon the decision as far as the interest of the City of Oakland alone is concerned. But comparatively few people in Berkeley are aware that upon the decision a very large amount of money will or will not go into the treasury. Berkeley has quite a large water front and up to the present time some are of the impression that even the streets cannot be open to water communication. Not to the water as it ebbs and flows upon the beach at present, but to a line where there can be no hindrance of communication of all tidal waves.

It is certain that the town of Berkeley has certain rights in its water front which cannot be taken away either by individuals or corporations. The town authorities should take some interest in the matter and have a proper examination made by its Attorney so that whatever rights belong to it can be maintained before its rights go by default. It is culpable negligence if any valuable property belonging to the corporation is not protected so that the people may have the benefits of the legacy. Occasionally spasmodic efforts have been attempted, at times when heroes were willing to save the republic. Such breathings soon ended and the mouthings were found to be only froth.

Now is the time if the town of Berkeley has any vested rights whatever in its large amount of water frontage to make some kind of an assertion in claiming the same. There are too many loose ends. Some, if not all of them, should be gathered up. In fact it is time the people should have some show.

We are waiting for some more "poultry."

Had—len not "fallen down" no Act—on would have been taken in the town printing, so say the wise heads.

THE people of Berkeley won't do a thing to the solid four next spring.

HONESTY is the worst policy if one occupies a position of trust \$ \$ \$.

IT is not at all surprising to find the Japanese objecting to receiving proposals of peace unless they are made by some person regularly and fully accredited by China. The latter country would not be above disavowing an irregular agent if anything could be gained by such a course. Japan, therefore, is justified in standing on ceremony and insisting that China, as the party suing for peace, act openly and aboveboard.

Ballington Booth Seriously Ill.
CHICAGO, Decemcer 5.—Comm an der Ballington Booth of the Salvation Army, is critically ill. Ten days and nights of pain and unrest have wasted his delicate frame very much.

A Model Policeman.
There is in New York city a policeman who has managed on pay never exceeding \$1200 a year, and without opportunity for unlawful gains, to put one son through a famous college and to graduate him in medicine; to get another a commission in the Navy, and to send two daughters to one of the best women's colleges. Meanwhile the father has gone on doing his modest duty and asking aid of no man.

Thomas E. Flynn, editor of the San Francisco *Wasp*, was held to answer before the Superior Court yesterday by Judge Low on a charge of criminal libel preferred by Arthur McEwen. His bail was placed at \$2,000, which Flynn managed to secure in the afternoon. W. W. Foole appeared for the first time yesterday morning as additional counsel for McEwen, and a warm legal battle is in prospect in the higher Court. Perhaps Mr. Flynn will learn a lesson this time. Anyhow he will have to open his sack.

It is said that the dredging operations in the vicinity of Webster-street bridge, Oakland, have materially weakened the foundation of that structure. An examination will be made by the city engineer, and he will at once report to the Council.

H. D. Kelsey, the pharmacist, is progressive and gets the newest and latest goods in his line as soon as they are manufactured. The "Sweet Marie" sachet powder and Bongout's celebrated French perfumes are the latest additions to his stock for the holidays. Call and see him, and you will find a thousand other things beside the above.

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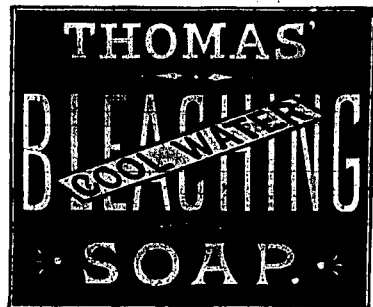
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Call on E. H. Driggs for your oil and gasoline stoves. He will suit you in prices.

The suit brought some time ago for an injunction against the opening of Haste street by Mrs. Patterson of Dwight way has been dropped.

If you want a nice suit of clothes call on Mikkelsen & Berry, 2124 Center street, Berkeley. All kinds of repairing done.

Anyone having a top buggy for sale can hear of a purchaser by applying to the business office of the GAZETTE.

Keep your lawns green by using the lawn mowers and garden hose handled by Shmitt & Zehner at city prices. Repairing of all kinds.

Brockton has begun business as a city in the right spirit. She regular prayer meetings last week were given up, that the church members might attend the caucuses. It is a great deal better to work for the right than to stand one side and pray that the right shall triumph.

Get your watches, clocks and jewelry repaired at E. A. Curry's, formerly Scott's, 2124 Center street, Berkeley. Diamonds, watches and jewelry of all kinds on hand. Work guaranteed.

A catalogue of officers and students in the colleges at Berkeley has just been issued by the recorder of the faculties. It shows the University to have 116 active instructors and an enrollment of 1027 in the colleges at Berkeley and 658 in the affiliated colleges in San Francisco, making a total of 1685 students. This does not include eighty-two graduate students who are pursuing advanced work.

At a meeting of the Associated Students of the University yesterday afternoon a committee was appointed to see what arrangement can be made with the faculty in regard to extra drills and other unpleasant military work. The management of the theater party reported that \$300 had been cleared. This will be divided between this year's "blue and gold" and the athletic association.

Whenever you see a procession of carriages in Berkeley it is almost a sure thing that H. M. Waterbury of the livery stable may be seen on top of the foremost carriage directing the movements. Well, it is business and he knows how to conduct it, and that is the reason why he has so many friends, and when anybody wants a team they go directly to his office on Center street and get just what they want.

Last night the residents of Temescal held a mass meeting for the purpose of taking action on the proposition to annex to Oakland. The city council has been moving in the matter, and papers are being prepared to take the necessary steps to move for annexation. The Temescal people declared themselves in a very decided manner last night by the adoption of a resolution by a

two-thirds vote, to the effect that the people of Temescal and vicinity are opposed to annexation to the city of Oakland.

Dr. Henry Senger, Assistant Professor of German in the University of California, will tender a reception to members of the junior class taking German under him, on Friday evening next, at his home on College way.

Frank Woolsey, a resident of Berkeley, will graduate from the Cooper Medical College this evening, and to-morrow will leave for Los Angeles, to take a position in one of the hospitals there.

A concert will be given in South Berkeley Hall this evening by the Fairweathers, assisted by Miss Mary Sullivan and others. It will be the third of a series given by this company and is announced a "night of Irish music." Admission 25 cents.

Be on Hand.

Property owners of West Berkeley must not forget the meeting to-night for the organization of an Improvement Club. To make the society carry any weight it must have those at the head of it who are directly interested. With such a backing anything within reason can easily be accomplished. It is in a good and thorough organized body that strength prevails.

Holmes Library.

The regular annual meeting of the Holmes Public Library Association will be held in Shattuck Hall, on Monday evening, December 10th, at 7:30 o'clock. A reunion and book social will form part of this meeting. There will be music by the High School Orchestra, essays by some of the school children, and a few short addresses, in addition to the election of three officers and three directors. All interested in the library are requested to attend, and each one who comes is requested to bring a book for the library.

Medical Honors.

The GAZETTE, through the courtesy of J. Edson Kelsey, has received an invitation to attend the commencement exercises of the Cooper Medical College this evening in San Francisco. Dr. Kelsey is one of the graduates and his friends are congratulating him, personally or by letter.

A particularly fine program of exercises has been arranged for the evening. Each year more interest is developed at the commencement in this college. Various reasons account for it. The high standing of the graduates, on account of the severe study which they have to pursue and make themselves proficient in, is something to be proud of. Another thing is the increase in attendance and the larger number of graduates each year. Each one has friends. The attendance has to be limited and each year the honor of an invitation becomes perhaps greater.

Berkeley always has a fair representation in the scholarships and is consequently much interested. It is quite probable that more than fifty of our good people will attend this

evening. The GAZETTE extends its kindest congratulations to J. Edson Kelsey, Ph. D.

REAL ESTATE TRANSFERS.

E. W. Burr of San Francisco to Edwin Bonnell and Albert A. Drown (in trust for Clarence C. and Edmund C. Burr, Mary N. Allyne and Lucy B. Holman), lots 16, 17 and 18, block G, resubdivision of a portion of Brugamim tract, Oakland, Township; also lot on S line of Maripaso street, 128.31 W of Shattuck avenue, W 185 by S 134, being lots 8 to 11, block B, same; also lot on W line of Dover street, 480 S of Stanley, S 206 83, SW 132.13, NE 212, E 131, 47 to beginning, being lots 10 to 13, block J, same; also lot on S line of Mono avenue, 126 W of Shattuck, W 96, S 134.59, NE 96, N 131.25 to beginning, being lots 12 and 13, block D, resubdivision of same; also lots 6 to 8 and 19, block 16, San Antonio, East Oakland; also property in San Francisco, San Mateo and Monterey counties, trust deed: \$1.

Julia Ruthrauff to Leonard W. Howe and J. F. Townes, lot 44 Regent street, Homestead Tract.

Leonard W. Howe and J. F. and Pauline E. Townes to W. A. Hall, lot 44, Regent street, Homestead Tract.

W. A. Hall to William B. Carr, lot 44, Regent street, Homestead Tract.

Joseph and August Herzog to August Petterson, lot on south line of Harmon street, 160 feet east of Baker street, 80x140, block 7, Herzog Tract.

To Kill Parasites on House Plants.

Aphis, or Green Fly—This is one of the most troublesome of pot-grown plants. It is most easily destroyed by syringing the plants twice a week with a tea made from tobacco, moving them up and down until the insects are thoroughly washed off. This will also destroy other insect pests. Red Spider—The presence of this pest is the sure indication that the atmosphere is too dry, and that the temperature has probably been too hot. The insect is so minute that it is hardly distinguishable by the naked eye; but its destructive work is shown by the leaves becoming brown, when, if they are closely examined upon the under side, the insects will be found in great numbers. The remedy is first to correct the conditions of the atmosphere, and next to syringe the plants copiously with water, or to wipe off the under side of each leaf with a wet sponge. Mealy Bug—A flat, whitish-brown insect, usually found nestling in the axils of the leaves, where it is covered with a white powder, making it easily distinguishable. Nothing seems to kill this insect, unless the remedy is strong enough to injure the plant; hence the only safe remedy for amateurs is to rub it off with a small brush. Alcohol, when thrown on the plant with an atomizer, will kill this insect; but some plants, when in a tender stage of growth, are injured by tee alcohol.

YASNUG 9A03

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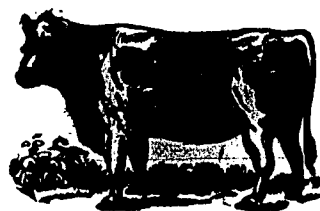
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